

Goa, 14th May, 1970 (Vaisakha 24, 1892)

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# GOVERNMENT GAZETTE

## BOLETIM OFICIAL

### GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

OSD/RRVS/15/67

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated the 25th July 1963, the Administrator of Goa, Daman and Diu, is pleased to make the following rules relating to the recruitment to the Class III non-ministerial posts in the Directorate of Fisheries under the Government of Goa, Daman and Diu.

1. **Short title.** — These rules may be called Goa Government, Directorate of Fisheries, Class III (non-ministerial, non-gazetted posts) Recruitment Rules, 1970.

2. **Application.** — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment of the said posts, age limit, qualifications and other matters

connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and
- no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification.

K. N. Srivastava  
Chief Secretary

Panaji, 23rd April, 1970.

## SCHEDULE

1	2	3	4	5	6	7	8	9	10	11	12	13
Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruitments will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment, by promotion/deputation/transfer, promotion/deputation/transfer to be made	If a DPC exists, what is to be consulted in its composition making recruitment	Class As required under the D.P.C. rules.
1. Junior Deck-hands-cum-Cook.	Two	Class III (Non-Gazetted, non-ministerial)	Rs. 100-5-130	Selection	Below 30 years	Experience as cook preferably on a fishing vessel.	Age: N.A. Qualifications: Yes.	Two years	Promotion failing which by direct recruitment.	Fisherman knowing cooking with three years service in the grade.		
2. Junior Deck-hands-cum-Greasers	— do —	— do —	— do —	— do —	— do —	Experience in net making and net mending. Desirable: (i) Certificate in Fisheries Training or (ii) Experience on fishing vessel or (iii) Experience in the engine room of a vessel.	— do —	— do —	— do —	Fisherman with three years experience in the grade.		— do —
3. Junior Deck-hands	Eight	— do —	— do —	— do —	— do —	Experience in net making and net mending. Desirable: a) Certificate in Fisheries Training. b) Experience on fishing vessel.	— do —	— do —	— do —	— do —		— do —

## Notification

OSD/RRVS/31/66

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated the 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to the recruitment to the Class II post in the Goa Medical College under the Government of Goa, Daman and Diu.

1. **Short title.** — These rules may be called Goa Government, Medical College, Assistant Clinical Pathologist Class II Gazetted post Recruitment Rules, 1970.

2. **Application.** — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment of the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and
- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date.

K. N. Srivastava

Chief Secretary

Panaji, 11th April, 1970.

**SCHEDULE**

Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruitments will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made	If a DPC exists, what is its composition	Circumstances in which U. P. S. C. is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
Assistant Clinical Pathologist	One	General Central Service Class II (Gazetted)	Rs. 375-25-500-30-590-EB-30-800-EB-30-830-35-900.	Not Applicable	35 years and below. (Relaxable for Govt. servants)	<p><i>Essential:</i></p> <p>i) Medical qualification included in the first or second schedule or Part II of the Third Schedule (other than Licenciante qualifications) to the Indian Medical Council Act, 1956. Holders of qualification included in Part II of the Third Schedule should also fulfill the conditions stipulated in section 13(3) of the said Act.</p> <p>ii) Completion of Compulsory rotating internship.</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified).</p>	Not Applicable.	Two years	By direct recruitment.	Not applicable.	Not Applicable.	As required under the Union Public Service Commission (Exemption from Consultation) Regulations, 1958.

11TH MAY, 1970 (VAISAKHA 24, 1892)

*2.000*

*W.O. No. 59*  
*15-5-70*

**Notification**

OSD/R.F.VS/47/66

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules amending the Goa Government, Directorate of Agriculture (non-ministerial, non-gazetted) posts Recruitment Rules, 1966 issued under Notification dated 9th November, 1966 published in Government Gazette Series I, No. 38 dated 22nd December, 1966, read with Notification of even number dated 1st May, 1968 and published in Government Gazette Series I, No. 8 dated 23rd May, 1968, namely:

**1. Short title and commencement:**

(i) These rules may be called the Goa Government, Directorate of Agriculture (non-ministerial, non-gazetted) posts Recruitment (Third Amendment) Rules, 1970.

(ii) They shall come into force at once.

**2. In the Schedule attached to the said Notification**

(a) against the post of Senior Mechanic appearing at serial No. 14 for the existing entry in column 11 substitute:

**"Promotion:** Mechanic IInd Class with two years service in the grade and tractor Drivers of the Department with seven years service in the grade".

(b) against the posts of Assistant Agricultural Officer Grade II/Extension Officer (Agr)/Instructor in Agriculture appearing at serial No. 34 for the existing entry in column 11 substitute:

**"Promotion:** Agricultural Demonstrators with three years service in the grade and Gram Sevaks/Sevikas, Agricultural Assistants with at least 5 years service in the respective grade".

By order and in the name of the Administrator of Goa, Daman and Diu.

*D. V. Sawant*, Under Secretary (Appointments).

Panaji, 6th May, 1970.

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**Finance (Revenue) Department**

**Notification**

Fin(Rev)/2-35/7/916/68

Whereas the Administrator, Goa, Daman and Diu is of the opinion that there exist a reasonable ground for doing so, he hereby in exercise of the powers conferred by sub-section (1) of section 42 of the Goa, Daman and Diu Excise Duty Act, 1964 (5 of 1964), exempts the manufacturers of country liquor out of sugarcane juice using stills of the capacity

not exceeding 150 litres each from the provisions of Rules 41 to 43, 47 to 49 and 52 of the Goa, Daman and Diu Excise Duty Rules, 1964 subject to the following condition in addition to any terms or conditions imposed under Rule 85 of the said Rules, namely:—

The manufacturer shall sell country liquor manufactured from the sugarcane juice only to the licensed liquor vendors or licensed buyers.

By order and in the name of the Administrator of Goa, Daman and Diu.

*V. G. Sathe*, Under Secretary (Finance).

Panaji, 8th May, 1970.

*W.O. No. 59*  
*15-5-70*

**Revenue Department**

**Notification**

RD/TNC/RLS/296/68-70

«In exercise of the powers conferred by section 61 read with the proviso to sub-section (3) and (3A) of section 26 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, the Government hereby makes the following rules so as to amend further the Goa, Daman and Diu Agricultural Tenancy Rules, 1965, the same having been previously published, namely:

1. These rules may be called the Goa, Daman and Diu Agricultural Tenancy (Seventh Amendment) Rules, 1970.

2. Amendment to rule 12A. — In rule 12A of the Goa, Daman and Diu Agricultural Tenancy Rules, 1968 —

1) in sub-rule (1),

(a) for clause (c) the following shall be substituted, namely:—

«c) The Director of Agriculture, Goa, Daman and Diu, Panaji or the Head of the Government Department in charge of Soil Conservation certifies that the repairs have been carried out satisfactorily;»;

(b) for clause (d), the following shall be substituted, namely:—

«d) The Director of Agriculture, Goa, Daman and Diu, Panaji or the Head of the Government Department in charge of Soil Conservation certifies the cost of repairs;»;

2) for sub-rule (3), the following shall be substituted, namely:—

«3) The application under sub-rule (2) should be accompanied by the following documents;

i) A certificate from the Director of Agriculture, Goa, Daman and Diu, Panaji or the Head of the Government Department in charge of Soil Conservation certifying the cost of repairs, and

- ii) A certificate from the Director of Agriculture, Goa, Daman and Diu, Panaji or the Head of the Government Department in charge of Soil Conservation certifying that the work of repairs has been done satisfactorily.»;

3) in sub-rule (6) for the words «and send the proceedings along with the certificate to the Executive Engineer (Soil Conservation) Public Works Department for making payment of the contribution by Government» the words «and send the proceedings along with the certificate to the Director of Agriculture, Goa, Daman and Diu, Panaji or the Head of the Government Department in charge of Soil Conservation for making payment of the contribution by Government.» shall be substituted;

4) in sub-rule (7) for the words «the Executive Engineer (Soil Conservation)» the words «the Director of Agriculture, Goa, Daman and Diu, Panaji or the Head of the Government Department in charge of Soil Conservation», shall be substituted;

5) in sub-rule (8) for the words «to the Public Works Department of the Government, the Executive Engineer (Soil Conservation) shall,» the words «to the Director of Agriculture of the Government of Goa, Daman and Diu, Panaji or the Head of the Government Department in charge of Soil Conservation shall,» shall be substituted;

6) in sub-rule (9) for the words «to the Public Works Department» the words «to the Director of Agriculture, Goa, Daman and Diu, Panaji or the Head of the Government Department in charge of Soil Conservation.» shall be substituted.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. Sardessai, Under Secretary (Revenue).

Panaji, 6th May, 1970.

Vaisakha 16, 1892 (Saka).

### Notification

RD/LND/DMN/425/68-70

In exercise of the powers conferred by section 15 of the Daman (Abolition of Proprietorship of Villages) Regulation, 1962, the Administrator of Goa, Daman and Diu is pleased to make the following rules, namely:—

1. **Short title and commencement.**—(1) These Rules may be called the Daman (Abolition of Proprietorship of Villages) (First Amendment) Rules, 1970.

(2) They shall come into force at once.

2. **Insertion of new rules.**—After the existing rule 1 of the Daman (Abolition of Proprietorship of Villages) Rules, 1969 (hereinafter referred to as the 'principal rules') the following rules shall be inserted, namely:

“1A. **Grant of pasture or grass land to the proprietors and the cultivating tenants in certain cases.**—(1) If a land has been a pasture or grass land at the commencement of the Regulation and

if before the date of commencement of the Daman (Abolition of Proprietorship of Villages), (First Amendment) Rules, 1970 (hereinafter referred to as 'the commencement date) such land has been brought under cultivation, or has been converted into a fruit bearing garden, that land may be granted as an occupant to the proprietor or the cultivating tenant by whom the land has been brought under cultivation or converted into a fruit bearing garden.

(2) Every land granted under sub-rule (1) shall be from the date of such grant liable to the payment of land revenue to the Government and provisions of Section 6 of the Regulation shall be applicable.

(3) If on the commencement date a proprietor or a cultivating tenant owns any agricultural cattle and if any pasture or grass land held by such proprietor or cultivating tenant has vested in the Government under section 3 of the Regulation such proprietor or as the case may be, cultivating tenant shall be entitled to the re-grant of such pasture or grass land of an area of 800 square metres for each head of Agricultural cattle owned by him or equal to the area of the pasture or grass land which has in his case vested in the Government under section 3 of the Regulation, whichever is less.

*Explanation:*—For the purposes of this sub-rule 'Agricultural cattle' means cows, buffaloes and their young ones.

(4) The proprietor or the cultivating tenant, to whom land is granted under sub-rule (1), shall pay to the Government an occupancy price which shall be equal to the amount of compensation which the Government is in cases falling under section 3 of the Regulation required under section 9 of the Regulation to pay for such land, to the proprietor or the cultivating tenants.

(5) The proprietor or the cultivating tenant who has been granted land under sub-rule (1), shall also be liable to pay to the Government a fair rent as may be determined by the Mamlatdar for the period from the date of commencement of the Regulation to the date on which the land is granted to him as occupant under sub-rule (1).

(6) In determining the fair rent payable under sub-rule (5) the Mamlatdar shall take into consideration the income the proprietor or the cultivating tenant, as the case may be, has derived during the period mentioned in sub-rule (5).

1B. **Mamlatdar to decide whether a land is a pasture or grass land.**—If in the course of the implementation of the provisions of the Daman (Abolition of Proprietorship of Villages) Regulation, 1962 (hereinafter referred to in these rules as the "Regulation"), a question arises whether a land in the possession of a proprietor or a cultivating tenant is a pasture or grass land, the Mamlatdar shall after issuing a show cause notice to the Proprietor or the cultivating tenant, as the case may be, and after holding such enquiry as he may deem fit, decide the question."

By order and in the name of the Administrator of Goa, Daman and Diu.

W. G. Ranadive, Secretary (Revenue).

Panaji, 6th May, 1970.

## Law and Judicial Department

## Notification

LD/2/3/70

The following Act passed by the Legislative Assembly of Goa, Daman and Diu which received the Assent of the President of India on the 29th April, 1970 is hereby published for general information of the public.

M. S. Borkar, Under Secretary.

Panaji, 8th May, 1970.

## The Goa, Daman and Diu Sales Tax (Amendment) Act, 1969

(Act No. 6 of 1970)

An Act further to amend the Goa, Daman and Diu Sales Tax Act, 1964.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twentieth Year of the Republic of India as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Goa, Daman and Diu Sales Tax (Amendment) Act, 1969.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. **Amendment of section 2.**— In section 2 of the Goa, Daman and Diu Sales Tax Act, 1964 (hereinafter referred to as the principal Act),—

(i) after clause (e), the following clause shall be inserted namely:—

“(ee) “importer” means a dealer who brings any goods into Goa, Daman and Diu, or to whom any goods are dispatched from any place outside Goa, Daman and Diu;”;

(ii) after clause (l), the following clause shall be inserted, namely:—

“(ll) “Tribunal” means a Tribunal constituted under section 3A;”;

(iii) in clause (m), after the words “within such period” the words “as may be prescribed” shall be inserted.

3. **Insertion of new section 3A.**— After section 3 of the principal Act, the following section shall be inserted, namely:—

“3A. **Tribunal.**— (1) Subject to the provisions of this section, the Government shall constitute a Tribunal consisting of one member or as many members as it thinks fit to discharge the functions conferred on the Tribunal by or under this Act:

Provided that where the Tribunal consists of one member, that member shall be a person who has held a civil judicial post for at least ten years or who has been a member of the Central Legal Service (not below Grade III) for at least three years or who has been in practice as an advocate for at least ten years, and where the Tribunal consists of more than one member, one such member shall be a person qualified as aforesaid.

(2) If the Tribunal consists of more than one member, the Government shall appoint one of the members of the Tribunal to be the Chairman thereof.

(3) The qualifications of the member or members constituting the Tribunal and the period for which such member or members shall hold office, shall be such as may be prescribed.

(4) The Government may terminate the appointment of any member of the Tribunal before the expiry of the term of his office if such member —

(a) is adjudged as an insolvent, or

(b) engages during his term of office in any paid employment outside the duties of his office, or

(c) is, or becomes, in any way concerned or interested in any contract or agreement made by or on behalf of the Government or participates in any way in the profit thereof or in any benefit or emoluments arising therefrom, or

(d) is in the opinion of the Government, unfit to continue in office by reason of infirmity of mind or body, or

(e) is convicted of an offence involving in moral turpitude:

Provided that before terminating the appointment of any member under this sub-section, such member shall be given a reasonable opportunity of making representation.

(5) Any vacancy in the membership of the Tribunal shall be filled up by the Government as soon as practicable.

(6) If the Tribunal consists of more than one member, the functions of the Tribunal may be discharged by any of the members sitting either singly or in benches of two or more members, as may be determined by the Chairman.

(7) Where the Tribunal consists of more than one member and they are divided on any matter arising for decision before them, the decision shall be the decision of the majority, if there be a majority; but if the members are equally divided, they shall state the point or points on which they differ and the case shall be referred by the Chairman for hearing on such point or points to one or more of the other members of the Tribunal, and such point or points shall be decided according to the majority of the members of the Tribunal who heard the case, including those who first heard it.

(8) Subject to such conditions and limitations as may be prescribed, the Tribunal shall have power to award costs, and the amount of such costs shall be recoverable from the person who is ordered to pay the same as an arrear of land revenue.

(9) The Tribunal shall for the purpose of regulating its procedure and disposal of its business make regulations not inconsistent with the provisions of this Act and the rules made thereunder:

Provided that the regulations so made shall not have effect until they are approved by the Government and published in the Official Gazette.

(10) Notwithstanding anything contained in this section, the Government may, by notification

in the Official Gazette, confer on any Tribunal constituted or functioning under any other law for the time being in force, the powers conferred on a Tribunal by or under this Act and thereupon such other Tribunal shall be deemed to be a Tribunal constituted under this section in relation to the said law notwithstanding anything inconsistent in such other law:

Provided that the provisions of sub-sections (3) and (4) shall not apply to the Tribunal on which powers are so conferred.

(11) Any proceedings before the Tribunal shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code of 1860 Code.”.

**4. Amendment of section 7.**—In clause (II) of sub-section (3) of section 7 of the principal Act—

(1) in sub-clause (a) after the words “of goods of the class or classes” the following brackets, words and figure shall be inserted, namely:—

“(other than the goods or classes of goods taxable at the first point of sale in the series of sales by successive dealers, in pursuance of notification under section 8)”;

(2) for sub-item (iv) of sub-clause (a), the following shall be substituted, namely:—

“(iv) use by him within Goa, Daman and Diu as raw materials for the manufacture of goods for sale, and”

**5. Amendment of section 11.**—In sub-section (1) of section 11 of the principal Act, for the words and figure “under section 4 of this Act”, the words and figures “under section 4 or section 6 of this Act” shall be substituted.

**6. Insertion of new section 14A.**—After section 14 of the principal Act, the following section shall be inserted, namely:—

“14A. **Taxable turnover where certificate of registration is cancelled.**—Notwithstanding anything to the contrary in this Act, when the certificate of registration of any dealer is cancelled on the ground of discontinuance of his business, the price of all goods purchased by him on the strength of his certificate of registration shall be included in his taxable turnover.”.

**7. Amendment of section 24.**—For the proviso to sub-section (6) of section 24 of the principal Act, the following proviso shall be substituted, namely:—

“Provided that, where such person re-sells, or uses within Goa, Daman and Diu in the manufacture of goods for sale, any goods purchased by the dealer while carrying on business before such succession, he shall be entitled to such deductions in respect thereof as are permissible under sub-section (3) of section 7, had the re-sale or use in the manufacture of goods for sale, as the case may be, been effected by the dealer himself.”.

**8. Amendment of section 27.**—In section 27 of the principal Act,—

(a) in sub-section (2),—

(i) in clause (b), for the word “directed” the words “directed; or” shall be substituted;

(ii) after clause (b) as so amended, the following clause shall be inserted, namely:—

“(c) pass such other orders as it may think fit.”;

(b) after sub-section (2), the following sub-sections shall be inserted, namely:—

“(2A) (a) In the case of an order passed in appeal by the appellate authority under sub-section (2), a second appeal shall lie to the Tribunal within sixty days of the date of passing of the order.

(b) The Tribunal may admit the second appeal referred after the period of sixty days referred to in clause (1), if it is satisfied that the appellant had sufficient cause for not preferring the appeal in that period.

(2B) No appeal under sub-section (2A) or sub-section (3B) shall be entertained by the Tribunal, and no revision application under sub-section (3) shall be entertained by the Commissioner, unless such appeal or revision application, as the case may be, is accompanied by satisfactory proof of the payment of tax or penalty or both that may be due:

Provided that the Tribunal or the Commissioner, as the case may be, may, if it or he thinks fit, for reasons to be recorded in writing, entertain any appeal or revision application against any such order without making the payment as aforesaid, if the appellant or, as the case may be, the applicant furnishes such security for such amount as it or he may direct.

(2C) In disposing of an appeal, the Tribunal shall have same powers as that of the appellate authority under sub-section (2).”;

(c) in sub-section (3),—

(i) in the opening paragraph, the words “,and subject as aforesaid, the Government may, in like manner, revise any order passed by the Commissioner” shall be omitted;

(ii) in the first proviso, the words “or the Government, as the case may be,” shall be omitted;

(d) after sub-section (3), the following sub-sections shall be inserted, namely:—

“(3A) The dealer may, at his option, file a second appeal under sub-section (2A), or make an application for revision to the Commissioner under sub-section (3), and where the dealer has exercised such option he shall be precluded from filing an application for revision under sub-section (3), or, as the case may be, from filing a second appeal under sub-section (2A).

(3B) Where an order is passed by the Commissioner of his own motion under sub-section (3), an appeal shall lie to the Tribunal from that order within sixty days and an appeal filed after that period may be admitted if the Tribunal is satisfied that the appellant had sufficient cause for not filing the appeal within that period.”.



**9. Amendment of section 28.**—In section 28 of the principal Act,—

(i) for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:—

“(1) Within sixty days from the date of passing by the Tribunal of any order under sub-section (2A) or sub-section (3B) of section 27 affecting any liability of any dealer to pay tax under this Act, such dealer or the Commissioner, as the case may be, may, by application in writing (and where the application is made by the dealer, accompanied by a fee of one hundred rupees), require the Tribunal to refer to the Court any question of law arising out of such order and, subject to the other provision contained in this section, the Tribunal shall, as soon as may be after the receipt of such application draw up a statement of the case and refer it to the Court.

(2) If the Tribunal refuses to state the case which it has been required to do, on the ground that no question of law arises, the dealer or the Commissioner, as the case may be, may, within thirty days of the communication of such refusal, either:—

(a) withdraw the application (and if he does so, any fee paid shall be refunded), or;

(b) apply to the Court against such refusal.”;

(ii) in sub-sections (3) to (7), for the word “Government’s” the word “Tribunal’s” and for the word “Government” wherever it occurs, the word “Tribunal” shall be substituted.

**10. Insertion of new section 31A.**—After section 31 of the principal Act, the following section shall be inserted, namely:—

“31A. **Penalty for contravening provisions regarding collection of tax by dealers.**—If the Commissioner is satisfied that any person has acted in contravention of the provisions of section 16, he may, after giving such person a reasonable opportunity of being heard, direct him to pay, by way of penalty, a sum not exceeding one and a half times the tax collected in contravention of the said provision, and the amount of tax so collected.”.

**11. Amendment of section 35.**—In section 35 of the principal Act, in sub-section (3), for clause (a), the following clause shall be substituted, namely:—

“(a) of any of the particulars referred to in sub-section (1) for the purpose of an investigation or prosecution under this Act or under the Indian Penal Code or under any other enactment for the time being in force; or”.

**12. Amendment of section 36.**—In section 36 of the principal Act,—

(a) in sub-section (2),—

(i) clause (a) shall be renumbered as clause (aa) of that sub-section; and

(ii) before clause (aa) as so renumbered, the following clause shall be inserted, namely:—

“(a) the period for return of goods by purchasers under clause (m) of section 2;”;

(b) after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) Every rule made under this Act shall be laid, as soon as may be after it is made, on the table of the Legislative Assembly while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly agrees in making any modification in the rule, or the Legislative Assembly agrees that the rule should not be made, the rule shall, thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

Development Department ‘B’

Notification

HS-13-3-68

In exercise of the powers conferred by clause (7) of the Middle Income Group Housing Scheme, the Administrator of Goa, Daman and Diu hereby makes the following rules so as to amend the Rules regulating the grant of loans under the Middle Income Group Housing Scheme in Union Territory, published in the Government Gazette, Series I, No. 25, dated 19th September, 1968.

For the rule 3 of the Rules regulating the grant of loans under the Middle Income Group Housing Scheme in Union Territory the following rule shall be substituted, namely:—

“3. the application for loan under the scheme shall be made on the prescribed form obtainable from the Collector, Goa, the Collector, Daman; and the Civil Administrator Diu.

The applications shall be addressed to the above officers respectively by the residents of Goa, Daman and Diu.

The application should be supported with designs, specifications, estimates and layout plans duly approved by the competent authority having jurisdiction in the matter”.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. H. Sakhalakar, Under Secretary (Planning).

Panaji, 7th May, 1970.